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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES: DELAWARE BOARD OF MEDICAL PRACTICE

MEETING DATE AND TIME: Tuesday, April 6, 2010 at 2:30 p.m.

PLACE: 861 Silver Lake Boulevard
Second Floor Conference Room A
Dover, Delaware

MINUTES APPROVED (May 4, 2010)

MEMBERS PRESENT

Raymond Moore, Public Member, President, Presiding
Stephen Cooper, M.D., Professional Member, Secretary
Gregory Adams, M.D., Professional Member
John Banks, Public Member
George Brown, Public Member
Vance Daniels, Public Member
Galicano Inguito, M.D., Professional Member
Sophia Kotliar, M.D., Professional Member
Vincent Lobo, D.O., Professional Member
Karl McIntosh, M.D., Professional Member
Anthony Policastro, M.D., Professional Member
Daryl Sharman, M.D., Professional Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Allison Reardon, Deputy Attorney General
Gayle MacAfee, Executive Director
Shauna Slaughter, Administrative Specialist II
Kay Warren, Deputy Director
Barbara Gadbois, Deputy Attorney General

MEMBERS ABSENT

Thomas Desperito, M.D., Professional Member
Sharon Jones, Public Member
Nasreen Khan, D.O., Professional Member
Oluseyi Senu-Oke, M.D., Professional Member, Vice Chairperson

ALSO PRESENT

Paula Paul, Delaware Academy of Physician Assistants
David Ashner, American Academy of Physician Assistants
Suzanne Raab-Long, Delaware Healthcare Association
Juli LaBadia, Court Reporter, Wilcox & Fetzer
Anil Kumar Tripathy, M.D.
James Fox Claire, D.O.

CALL TO ORDER

Mr. Moore called the meeting to order at 2:36 p.m.

REVIEW AND APPROVAL OF MINUTES

The board reviewed the March 2, 2010 Executive Session and meeting minutes for approval. Dr. Policastro moved, seconded by Mr. Brown, to approve the Executive Session and meeting minutes as presented. Motion unanimously carried.

UNFINISHED BUSINESS

Results of Executive Session Discussion

Dr. Policastro moved, seconded by Mr. Banks, that the board after having reviewed the results of the investigations, determined in the exercise of its discretion, that the matters not proceed further and that the following investigations be closed as noted without prosecution in the following cases. Motion unanimously carried.

Cases Closed

10-63-08	10-20-09	10-44-09
10-52-09	10-66-09	10-84-09
10-87-09		

Sign Order from Propose to Deny Hearing Held on March 2, 2010 for Majd Arnaout, M.D.

The board members who attended the hearing affixed their signatures to the Order.

Election of Legislative Liaison Member – Nominating Committee

Dr. Lobo moved, seconded by Dr. Cooper, to nominate Dr. McIntosh as the legislative liaison member for the board. Motion unanimously carried.

Withdrawal of Proposed Denial of Application from Elizabeth Allen, M.D.

The board reviewed Dr. Allen's request to withdraw her application to practice medicine in Delaware. Dr. Policastro moved, seconded by Mr. Banks, to accept the withdrawal request. Motion unanimously carried.

NEW BUSINESS

Review of Applications for Registration and Licensure

Physicians for Licensure – Medical – Dr. Cooper moved, seconded by Mr. Banks, to approve the following medical doctors for a certificate to practice medicine, and to place Dr. David Beardsley and Dr. Joshua Kish on the list of M.D.'s for licensure, as all applicants had met the licensure requirements as set forth by statute. Motion unanimously carried. Dr. Policastro further moved, seconded by Mr. Banks, to place Dr. Jonathan Oppenheimer on the list of M.D.'s for licensure. Motion unanimously carried.

M.D.'s for Licensure

Michael Abboud
Nurun Begum

Shafiuddin Ahmed
Nana Berikashvili

Amanda Bauer
John Botti

David Beardsley
Paul Boulos

Christopher DeMauro	James Ganey	Aric Gardner	Corey Golding
Adrian Goldstein	Mark Halsted	David Kavjian	Joshua Kish
Maryida Klimowicz	David Mathis	David McDonald	Bharati Mistry
Ashley O'Bannon	Jonathan Oppenheimer	David Ospital	Brian Ostick
Anna Patkowska	Glenn Pelletier	Nicholas Perchiniak	Carolo Ramirez
Rajender Reddy	Thomas Rosenthal	Stephen Rualo	Dana Ryan
Jonathan Safren	Suat-Eng Ter	Gregory Tokarsky	Nhu Le Tran
Douglas Whitney			

Physicians for Licensure – Osteopathic – Dr. Cooper moved, seconded by Dr. Policastro, to approve the following osteopathic doctors for a certificate to practice medicine, as all applicants had met the licensure requirements as set forth by statute. Motion unanimously carried.

D.O.'s for Licensure

Gregory Bronner	Robert McGrath	Joseph Melvin	Hang Nguyen
Ethan Ross			

Physician Assistant(s) for Licensure

Dr. Cooper moved, seconded by Mr. Banks, to approve the following physician assistants for licensure as noted below. Motion unanimously carried.

Elliott McPherson

Dr. Cooper moved, seconded by Mr. Banks, to approve the following physician assistants for prescriptive authority as noted below. Motion unanimously carried.

Physician Assistants for Prescriptive Authority – Controlled and Non-Controlled

Robert Becker (Schedule V only)	Jessica Dunn (Schedule V only)	Tiwana Miller
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Respiratory Care Practitioners for Licensure

There were no Respiratory Care Practitioners for licensure.

Paramedics

Dr. Policastro moved, seconded by Mr. Brown, to approve the following Paramedics for licensure as noted below. Motion unanimously carried.

William Culver II	Bruce Egan, Jr.	Ali Erbayri, Jr.	Randall Myers II
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Acupuncture Practitioners

There were no Acupuncture Practitioners for licensure.

Advanced Practice Nurses for Prescriptive Authority

Dr. Inguito moved, seconded by Dr. Lobo, to approve the following Advanced Practice Nurses for Prescriptive Authority as noted below. Motion unanimously carried.

Practitioner Specialty Type

Collaborator

Adult Nurse Practitioner

Shirene Bennett

M. Crowley, MD – Genesis Health Care Physician Svcs.

CRNA

Jaclyn Dobrzynski

K. Silverstein, MD - CCHS

Family Nurse Practitioner

Melissa Raffaele

J. E. Hale, MD – Lewes Family Practice

Walton Reddish

E. Franks, MD – Peninsula Orthopaedic

Pediatric Nurse Practitioner

Rachel Newman

S. Dunn, MD – A.I. DuPont Hospital

Review Physician Application from Sidney Grobman, D.O. – Has not Practiced for 8 years – Limited to Medical Law as an Attorney

The board reviewed the application to practice medicine from Sidney Grobman, D.O. Dr. McIntosh moved, seconded by Mr. Brown, to propose to deny the application pursuant to 24 Del. C. Section 1701. Motion unanimously carried.

Review Physician Application from Edith Senyumba, M.D. – Requesting Waiver of Step 3 Score from USMLE – Not licensed in any state - Completed residency in 2005

The board reviewed the application of Edith Senyumba, M.D. Dr. McIntosh moved, seconded by Mr. Brown, to propose to deny the application pursuant to 24 Del. C. Section 1720(b) (7). Motion unanimously carried.

Discuss Proactive Disclosure Service offered by the National Practitioner Data Bank for On-going Monitoring of Physicians

Ms. MacAfee advised the board that the Division Director, James Collins, had asked that she provide the board with information regarding the Proactive Disclosure Service (PDS) offered by the National Practitioner Data Bank and whether the board would be interested in this service. Ms. MacAfee explained how the service works and advised that the fee for the service would be absorbed through fees charged to the licensees. Dr. Policastro moved, seconded by Mr. Brown, to have the Division participate in the PDS. Motion unanimously carried.

Emergency Hearing for Temporary Suspension – Case No. 10-108-09 (2:30 p.m.)

At 2:52 p.m., Mr. Banks moved, seconded by Mr. Brown, to go into Executive Session to consider the Consent Agreement for Complaint 10-108-09. Motion unanimously carried. At 2:58 p.m., the board came out of Executive Session. Dr. Policastro moved, seconded by Mr. Banks, to accept the Consent Agreement for Complaint 10-108-09 for Yvette K. Baker, M.D. Motion carried with Dr. McIntosh recusing. The Order was circulated for signatures.

Propose to Deny Hearing for Anil Kumar Tripathy, M.D. (3:00 p.m.)

At 3:14 p.m., Mr. Moore called the proposal to deny hearing to order on the application submitted by Anil Kumar Tripathy, M.D. The board introduced themselves for the record. Verbatim testimony was taken by the court reporter. Ms. Reardon read the purpose of the hearing. The application packet and supporting

documents were marked as Board Exhibit 1 for the record. Dr. Tripathy had two exhibits marked for the record. Applicant Exhibit 1 included three letters of reference and Applicant Exhibit 2 included seven letters of reference. Ms. Reardon verified that Dr. Tripathy waived his right to counsel. Dr. Tripathy was sworn in, presented his case, and responded to questions asked by the board members. At 3:44 p.m., the board went off the record to deliberate. At 3:56 p.m., Mr. Banks moved, seconded by Mr. Brown, to go back on the record. Motion unanimously carried. Dr. McIntosh moved, seconded by Mr. Banks, to deny the request for a waiver of the disqualification for licensure. Motion unanimously carried. Dr. McIntosh moved, seconded by Mr. Banks, to deny Dr. Tripathy a license to practice medicine. Motion unanimously carried. The hearing concluded at 3:57 p.m.

Propose to Deny Hearing for James Fox Claire, D.O. (3:30 p.m.)

At 4:01 p.m., Mr. Moore called the proposal to deny hearing to order on the application submitted by James Fox Claire, D.O. The board introduced themselves for the record. Verbatim testimony was taken by the court reporter. Mr. Moore read the purpose of the hearing. The application packet and supporting documents were marked as Board Exhibit 1 for the record. Dr. Claire had a packet of documents marked as Applicant Exhibit 1 for the record. Mr. Moore verified that Dr. Claire waived his right to counsel. Dr. Claire was sworn in, presented his case, and responded to questions asked by the board members. At 4:44 p.m., the board went off the record to deliberate. At 4:50 p.m., Dr. Cooper moved, seconded by Mr. Brown, to go back on the record. Dr. Cooper moved, seconded by Mr. Brown, to deny the request for a waiver of the disqualification for licensure. Motion unanimously carried. Dr. Cooper moved, seconded by Mr. Brown, to deny Dr. Claire a license to practice medicine. Motion unanimously carried. The hearing concluded at 4:51 p.m.

OTHER BUSINESS BEFORE THE BOARD (For Discussion Only)

There was no other business.

Public Comment

There was no public comment.

Next Meeting

The board will hold their next meeting on Tuesday, May 4, 2010 at 2:30 p.m., in the 2nd floor Conference Room "A" of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

Adjournment

There being no further business before the board, Dr. Cooper moved, seconded by Mr. Banks, to adjourn. Motion unanimously carried. The meeting adjourned at 4:52 p.m.

Respectfully submitted,



Shauna Slaughter
Administrative Specialist II